

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: :
JACK CHARLES MILLER : CASE NO. 5-19-04861
: CHAPTER 13
Debtor(s) :

JACK CHARLES MILLER :
Movant :
vs. :

LACKAWANNA COUNTY TAX CLAIM :
BUREAU, M&T BANK, PORTNOFF LAW :
ASSOCIATES, LTD., INTERNAL :
REVENUE SERVICE, PA DEPARTMENT :
OF REVENUE, and :
JACK N. ZAHAROPOULOS, ESQUIRE :
Respondents :

**ORDER GRANTING DEBTOR'S MOTION FOR PRIVATE SALE OF REAL AND
PERSONAL PROPERTY FREE AND CLEAR OF ALL LIENS, CHARGES AND
ENCUMBRANCES**

Upon consideration of the within Motion and after Notice duly given to the Creditors and other parties in interest, the Debtor, Jack Charles Miller, is hereby granted leave to sell real property located at 399 Old River Rd., Thornhurst, PA along with personal property and fixtures to Charles W. and Kathleen L. Stout for the sum of One Hundred Forty-Five Thousand (\$145,000.00) Dollars. All valid liens and encumbrances to attach to the proceeds of said sale, except the encumbrances of outstanding real estate taxes.

Further, the Debtor is granted leave to allow distribution of the proceeds of the sale at closing as follows:

- a. Any out-of-pocket expenses advanced by Tullio DeLuca, Esquire in connection with the sale of the aforementioned property, and which have not been reimbursed at the time of settlement along with an attorney fee of \$1,431.00;
- b. Any Notarization and/or incidental recording fees associated with the sale of

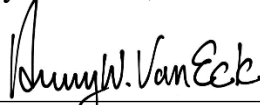
the above property;

- c. Any transfer tax which is the responsibility of the seller herein;
- d. Any unpaid real estate taxes and other municipal claims/liens arising from property;
- e. Payment in full to M&T Bank;
- f. That any other unpaid liens shall attach to the remaining sale proceeds;
- g. Debtor's exemption if any;
- h. The net sale proceeds in an amount to pay the balance owed to the Chapter 13 Trustee, if any, from the above sale shall be paid to Jack N. Zaharopoulos, Esq., Chapter 13 Trustee, for distribution to creditors in accordance with the Debtor's confirmed Plan

Further, the Debtor is allowed to escrow funds at closing for a potential capital tax gain liability.

Dated: July 1, 2021

By the Court,



Henry W. Van Eck, Chief Bankruptcy Judge ^(CD)